



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
LABOR AND PUBLIC EMPLOYEES COMMITTEE
Tuesday, March 4, 2008**

**SB 456, An Act Concerning A Private Right Of Action
Against A Health Care Provider Under The Workers' Compensation Act**

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony concerning **SB 456, An Act Concerning A Private Right Of Action Against A Health Care Provider Under The Workers' Compensation Act**. CHA opposes this bill.

The text of SB 456 adds language to subsection (a) of general statutes section 31-294d to state that an employer is responsible for certain medical care for an injured employee. Much of this language is unnecessary and confusing in light of the existing and subsequent subsections of general statutes section 31-294d that are not provided in the draft bill, including subsection (d), which discusses the rates to be paid, and subsection (e), which states that an employer is responsible for the expense of such care. The inclusion of SB 456's new language in subsection (a) is unnecessary and will cause confusion.

Additionally, the title and purpose of SB 456 indicate that the bill is meant to create a private right of action against a healthcare provider, but the text references employer and insurer liability only. If the intent of the bill is to create a private right of action, CHA opposes this change in the long-standing policy in Connecticut to resolve injuries by employees under the state's workers' compensation system. Creating a private right of action will cause substantial confusion in implementation and application. The workers' compensation system is already extremely complicated, often slow to pay healthcare providers, and difficult for healthcare providers to navigate because healthcare providers are not parties to the system. Healthcare providers deserve more clarity and protection, not lawsuits.

We urge you to reject SB 456, which appears to add no substantive rights for employees, but would create substantial confusion for healthcare providers.

Thank you for your consideration of our position.

For additional information, contact CHA Government Relations at (203) 294-7310.